

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MIGUEL ANGEL DURAN,

Petitioner,

v.

WARDEN VICTOR WALKER,

Respondent.

CIVIL ACTION FILE
NO. 1:05-CV-2723-TWT

ORDER

This is a pro se habeas corpus action. It is before the Court on the Report and Recommendation [Doc. 8] of the Magistrate Judge recommending dismissing the Petition. The evidence was sufficient to support the verdict. The Petitioner's statements were properly admitted at trial. Trial counsel was not ineffective for failing to call a toxicologist to testify concerning the effect of oil-based paint fumes. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is DISMISSED.

SO ORDERED, this 19 day of October, 2006.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge